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Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554

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Federal Communications Commission  
Office of Secretary

In Re )  
 )  
Amendment of Section 73.202(b) )  
FM Table of Allotments, )  
FM Broadcast Stations )  
(Cherokee Village and Black Rock, Arkansas, )  
and Thayer, Missouri; and Cave City, Arkansas) )  
 )  
Reclassification of License of )  
Station KURB(FM), Little Rock, Arkansas )

MM Docket No. 05-104  
RM-10837  
RM-10838

To: Office of the Secretary  
Audio Division, Media Bureau

COMMENTS

KFCM, Inc. ("KFCM"), licensee of Station KFCM(FM), Cherokee Village, Arkansas, and Bragg Broadcasting, Inc. ("BBI"), licensee of Station KSAR(FM), Thayer, Missouri (collectively, KFCM and BBI shall be referred to herein as "Joint Petitioners"),<sup>1</sup> filed a Petition for Rule Making ("Petition") on August 15, 2003, requesting that the Commission amend the FM Table of Allotments in the following manner: (i) reallocating Channel 252C3 from Cherokee Village, Arkansas, to Channel 252C2, Black Rock, Arkansas, and modifying KFCM's license accordingly;

<sup>1</sup> James Bragg, President, Secretary, Director and 100 percent shareholder of KFCM, Inc., is also the President, Secretary, Director and 100 percent shareholder of Bragg Broadcasting, Inc. Therefore, these Comments are being jointly filed by both licensee entities as a result of the common ownership.

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and (ii) reallocating Channel 222C2 from Thayer, Missouri, to Cherokee Village, Arkansas and modifying KSAR's license accordingly.<sup>2</sup>

A conflicting petition was subsequently filed by Charles Crawford ("Crawford") on September 16, 2003, proposing the allotment of Channel 254A at Cave City, Arkansas, and the reclassification of Station KURB(FM) at Little Rock, Arkansas from 253C to 253C0.<sup>3</sup> The Commission adopted on March 9, 2005, and released its Notice of Proposed Rulemaking on March 14, 2005, offering both proposals for comment ("NPRM"). The deadline for comments is May 5, 2005. Crawford filed Comments on or about April 22, 2005, withdrawing his expression of interest in his competing petition and submitting a Motion to Dismiss Petition. As confirmed in the attached Declaration of Mr. Bragg, no money or other consideration has been or will be forthcoming from the Joint Petitioners to Crawford in exchange for the dismissal of his proposal.

No community would be left without an existing aural broadcast service arising from the Joint Petitioners proposal. Furthermore, Black Rock would be provided its first local aural transmission service. For these reasons and the reasons set forth in its proposal, the Joint Petitioners proposal is in the public interest. Additionally, Crawford has withdrawn his competing proposal and so there is no competing proposal necessitating a comparative evaluation.<sup>4</sup>

Pursuant to the NPRM and upon the approval of the NPRM by the Commission, Joint Petitioners reaffirm their intentions as follows: (i) KFCM will file an application to specify facilities for Channel 252C2 at Black Rock, Arkansas, and will promptly construct the facilities

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<sup>2</sup> RM-10837.

<sup>3</sup> RM-10838.

<sup>4</sup> The Joint Petitioners have presented an Engineering Statement in support of its proposal with its Petition and hereby incorporates that Engineering Statement and the accompanying information presented in its Petition into these Comments.

contemplated therein; and (ii) BBI will file an application specifying the facilities for Channel 222C2 at Cherokee Village, Arkansas.

WHEREFORE, the Joint Petitioners urge the Commission to amend the FM Table of Allotments in accordance with the NPRM in this proceeding.

Respectfully submitted,

By: 

Alan C. Campbell  
Michelle A. McClure

Counsel for KFCM, Inc. and Bragg  
Broadcasting, Inc.

IRWIN, CAMPBELL & TANNENWALD, P.C.  
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Washington, D.C. 20036-3101  
(202) 728-0400

May 5, 2005

## DECLARATION


James Bragg hereby declares as follows:

1. I am the President, Secretary, Director and 100 percent shareholder of KFCM, Inc. and also the President, Secretary, Director and 100 percent shareholder of Bragg Broadcasting, Inc.

2. No money or other consideration has been or will be forthcoming from the Joint Petitioners to Charles Crawford in exchange for the dismissal of his proposal.

3. I have reviewed the foregoing Comments and verify that the facts set forth therein are true and correct to the best of my knowledge, information and belief.

I declare under penalty of perjury that the foregoing is true and correct.

  
James Bragg

Executed on May 3, 2005

**CERTIFICATE OF SERVICE**

I, Mary Jane Thomson, hereby certify that on this 5th day of May, 2005, copies of the foregoing "Comments" have been served by hand delivery or first class mail, postage prepaid, upon the following:

Sharon P. McDonald\*  
Media Bureau  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W.  
Washington, D.C. 20554

Charles Crawford  
4553 Bordeaux Avenue  
Dallas, Texas 75205

A handwritten signature in cursive script that reads "Mary Jane Thomson". The signature is written in dark ink and is positioned above a horizontal line.

Mary Jane Thomson

\* denotes hand delivery